

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
EDUARD SLININ,

Plaintiff,

-against-

ALEX SHNAIDER,

Defendant.  
-----X

1:15-cv-09674 (RJS)

**NOTICE OF  
INADVERTENTLY  
OMITTED TRIAL EXHIBIT**

Plaintiff Eduard Slinin inadvertently omitted an exhibit from his pre-trial exhibit list. That exhibit is Plaintiff's Exhibit 28, which is attached as Exhibit A to this notice. Exhibit 28 is an email to Defendant Alex Shnaider from Shnaider's CFO, trial witness Robert Lee. In it, Lee refers to Eduard Slinin and Alex Shnaider as the "principals" of Challenger Aircraft Corporation Ltd. Slinin quoted this language in his Proposed Findings of Fact and Conclusions of Law (Dkt. 123-1) at paragraph 28, but mistakenly attributed the quote to Exhibit 23 and thus failed to include Exhibit 28 separately.

Shnaider will suffer no unfair prejudice from the inadvertent omission of Exhibit 28 from Slinin's exhibit list. Slinin's counsel has notified Shnaider's counsel of this request to include Exhibit 28 (*see* Exhibit B to this notice). Exhibit 28 was previously used as exhibit 2 to the deposition of Defendant Alex Shnaider. And Shnaider was on notice that Slinin intended to rely on the substance of Exhibit 28 because of its inclusion in Slinin's Proposed Findings of Fact and Conclusions of Law.

Dated: November 30, 2018.

Respectfully submitted,

/s/ Tom Kayes  
Tom Kayes\*  
KELLER LENKNER LLC  
150 North Riverside Plaza, Suite 4270  
Chicago, Illinois 60606  
(t) 312.741.5227  
tk@kellerlenkner.com

Warren Postman\*  
KELLER LENKNER LLC  
1300 I Street NW, Suite 400E  
Washington, D.C. 20005  
(t) 202.749.8334

wdp@kellerlenkner.com

Laurence J. Lebowitz  
DEALY, SILBERSTEIN  
& BRAVERMAN, LLP  
225 Broadway, Suite 1405  
New York, New York 10007  
(t) 212.385.0066  
(f) 212.385.2117  
llebowitz@dsblawny.com

*Attorneys for Plaintiff Eduard Slinin*  
*\*Admitted Pro Hac Vice*

**CERTIFICATE OF SERVICE**

I certify that I caused the preceding document to be served on all ECF-registered counsel of record by filing it via the Court's CM/ECF system on the below-indicated date.

Dated: November 30, 2018.

So certified.

/s/ Tom Kayes